

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 05-40026-FDS
	)	
SAMIR AL-MONLA	)	

DEFENDANT AL-MONLA'S MOTION TO  
AMEND CONDITIONS OF RELEASE

Defendant Samir Al-Monla respectfully moves to modify the conditions of his release and the hours of his liberty as more formally set forth below.

On March 13, 2007, this Court released Mr. Al-Monla, subject to electronic monitoring, to live at 97 St. Stephen's Street, apt. 29, Boston, MA. By Order dated March 26, 2007, this Court modified the daily hours of curfew to 10pm to 8am. Defendant has been in compliance with his release conditions.

Defendant's lease is due to expire at his current address on August 31, 2007 and he will be moving on or about September 1, 2007 to 168 Putnam Street, apt. 1, E. Boston, MA. The actual date of his move is uncertain as work is being done at the new apartment and may take a few days into September. In the interim, his current landlord offered to permit Mr. AL Monla to stay at some other apartment he owns for the few extra days if

needed. Mr. Al Monla does not yet have a phone installed in the new E. Boston address.

As the Court doubtless recalls, the Court stated at the time of defendant's' arraignment on March 13, 2007 that it was initially imposing electronic monitoring as a condition but that the condition could be revisited. Defendant suggests that this is an appropriate opportunity to do so. He has been in compliance with release conditions. He is a United States citizen who was brought into this case only in March 2007, the case already having been pending since April 2005. One of his co-defendants, Mr. Muntasser, was released from enduring curfew calls by Order dated June 23, 2005, and Mr. Mubayyid had his conditions modified by Order dated February 26, 2007. Mr. Al Monla continues to work as a realtor renting apartments in the Fenway area and will be extremely busy at all hours in the early weeks of September as students descend on the city and problems abound. For this further reason, he asks to be released from his curfew.

Pretrial Services, by Basil Cronin, agrees that it would be appropriate for defendant to call in daily until he completes the move to East Boston, and that it would be appropriate to release defendant from EM entirely and to permit him to report by phone.

The government, by Assistant United States Attorney Aloke S. Chakravarty, is agreeable to allowing defendant to report by phone until he moves to East Boston, but wishes to address the issue of EM only after the move is completed. In view of the government's position, defendant asks preliminarily for leave to be released from EM until he moves to the East Boston address, in the interim maintaining daily phone contact with Pretrial Services, and further asks the Court to withhold decision on the EM issue until the government formalized its position, likely next week.

SAMIR AL-MONLA  
By his attorney,

/s/ Charles P. McGinty

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 31, 2007.

/s/ Charles P. McGinty

Charles P. McGinty